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BOOK REVIEWS.

THE PRINCIPLES OF ARGUMENT, by Edwin Bell, LL.B. Toronto: The Canada Law Book Company, Limited, 1910, pp. xiv, 339.

This book is designed to simplify as much as possible logical theory and its application to argumentation. The author has made a distinct contribution to the subject of public discussion, especially from the standpoint of the lawyer. Students will find it exceptionally clear in classification and arrangement, and copious in illustrations drawn both from general argument and from forensic discussions involving testimony and court decisions. The book is particularly clear in the chapters on the classification of arguments. These are explained so thoroughly and are so well illustrated that the average student is able to grasp them and apply them. This is a consummation devoutly to be wished by the trial lawyer especially, and the acquirement of good habits of reasoning should not be left until one gets fixed in bad habits. If used systematically as a hand book this new publication cannot fail to be of great service to lawyers and to others who have to speak in public.

T. C. T.

MODERN THEORIES OF CRIMINALITY. By C. Bernaldo de Quirós. Translated from the Spanish by Alfonso de Salvio, Ph.D., Assistant Professor in Romance Languages, Northwestern University, with an introduction by Wm. W. Smithers, Esq. Boston: Little, Brown, & Company, 1911, pp. xxvii, 249.

CRIMINAL PSYCHOLOGY. A manual for Judges, Practitioners, and Students. By Hans Gross, J. U. D., Professor of Criminal Law at the University of Graz, Austria, formerly Magistrate of the Criminal Court at Czernovitz, Austria. Translated from the Fourth German Edition, by Horace M. Kallen, Ph.D., Assistant and Lecturer in Philosophy in Harvard University, with an introduction by Joseph Jastrow, Professor of Psychology in the University of Wisconsin. Boston: Little, Brown, & Company, 1911, pp. xx, 514.

Here we have the first two volumes of the Modern Criminal Science Series, to be printed by Little, Brown, & Co. on behalf of the American Institute of Criminal Law and Criminology, of which Dean John H. Wigmore of the Law School of Northwestern University, is president, and the Executive Board which includes leading medico-legal specialists, and professors of criminal law, sociology, psychology, psychiatry, and economics, of the principal universities of this country. This institute was organized in June, 1909, in Chicago, at a conference called by educators and students interested in crime, its causes, and the ways of preventing it and punishing for its commission. The object of the institute is "to further the scientific study of crime, criminal law, and procedure, to formulate and promote measures for solving the problems connected therewith, and to co-ordinate the efforts of individuals and organizations interested in the administration

of certain and speedy justice." At its first meeting the institute appointed a committee to select, translate, and arrange for publication of some of the leading works of European scholars on criminal science. The result of the work of this committee is the Modern Criminal Science Series, to consist of the following nine works, to be published in uniform style and size, in cloth binding, at \$33.60 for the series, or \$4 to \$5.50 for the separate volumes; 1, *Modern Theories of Criminality*, Quirós; 2, *Criminal Psychology*, Gross; 3, *Crime, Its Causes and Remedies*, Lombroso; 4, *The Individualization of Punishment*, Saleilles; 5, *Criminal Sociology*, Ferri; 6, *Penal Philosophy*, Tarde; 7, *Criminality and Economic Conditions*, Bonger; 8, *Criminology*, Garofalo; 9, *Crime and Its Repression*, Aschaffenburg. While many of our readers may not be familiar with the names of these European authors nor the works, it is enough for any of them to be informed that the selection, translation, and publication in English are the result of the work of such scholars and teachers as Professor John H. Wigmore, the author of the great work on Evidence.

There was a time when all disease was a manifestation of the displeasure of an inscrutable Providence, opposition to which was not only useless but liable to be punished by greater affliction, and only to be appeased by some great sacrifice and burnt offering. Through long and uncertain steps we have come from the priest, by the alchemist and his fellows, to the modern biologist and bacteriologist. We have made some progress from primitive ideas concerning criminology and penology, in our laws and the administration of criminal justice; but it is high time that we bring to bear on the subject the science of the biologist and the laboratory. For the community at large, it is important to recognize that criminal science is larger than criminal law; the lawyer, the prosecutor, and the judge owe it to themselves and the community to know and apply the principles of that science. This science has now discovered to a large degree the cause of crime in heredity, environment, disease, &c., and has come to regard the criminal as one needing treatment rather than punishment, and crime as a disease to be checked by removing the cause, and segregating and treating the afflicted. Nor should the lawyer suppose that these topics are so academic that he can in a commercial sense afford to remain in ignorance of the discoveries of these investigators.

The work of C. Bernaldo de Quirós is published as the first volume of the series because it is regarded as the best reference handbook for a critical review of the whole subject and the nature the contributions of all the European writers on Criminal Science during the last century. The author, Señor Quirós, was born in Madrid in 1873, and was licensed to practice law in 1894. In his preparation for the bar, he became interested in the study of criminology, and during several years' study collected the basis for his deductions from the great mass of European literature on the subject, and after several years of preparation, his book was finally published in 1898, and immediately took rank as a work of high merit. In 1908 the second edition was brought out, he having by this time been generally accepted as the leading Spanish writer on criminology. This American edition is translated from

the second Spanish edition, and the translation was edited and approved by the author. This edition also contains a special preface by him, written Dec. 1, 1910.

The author of this book on Criminal Psychology was born at Graz, Austria, in 1847, pursued his studies at Graz and Vienna, and qualified for the law in 1869. He received his first appointment as Professor of Criminal Law at the University of Czarnowitz, was later attached to the University of Prague, and is now Professor in the University of Graz. He is an author of considerable range concerning criminal science, having written a handbook on the subject published in 1893, which reached the fifth edition in 1908, and has been translated into eight foreign languages. Since 1898 he has been editor of the journal "*Archiv fur Kriminalanthropologie und Kriminalistik*," and a frequent contributor to it. The present volume first appeared in 1897, and this translation is from the second and enlarged edition of 1905. It is the first really objective criminal psychology which deals with the mental states of judges, experts, jury, witnesses, &c., as well as with the mental states of criminals. The translator informs us that he has omitted some inaccessible references in the original and substituted others more accessible to American readers.

J. R. R.